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TAGS: [PREL](#) [PHUM](#) [KDEM](#) [AJ](#)  
SUBJECT: AZERBAIJAN: YOUTH ACTIVIST TRIAL RESUMES, EMBASSY  
PRESSES GOAJ ON TRIAL CLOSURE

REF: BAKU 519

Classified By: DCM Jason P. Hyland for Reasons 1.4 b and d.

11. (SBU) The closed trial of Yeni Fikir youth activists Ruslan Bashirli, Ramin Tagiyev and Said Nuriyev resumed April 12 at the Baku Court of Grave Crimes. The trial had been postponed for 48 hours after the defendants rejected court-appointed attorneys. The Court subsequently selected new lawyers to represent the defendants but Nuriyev told Poloff that the defendants planned to continue to disrupt the proceedings through acts of civil disobedience by rejecting new lawyers. The judge also admonished Said Nuriyev not to speak to the press out of court, threatening to jail him if he continued to do so. Nuriyev, freed during the pretrial period because of his poor health, has been reporting the details of the trial to the media after each closed session. Nuriyev tells us he plans to publish the details of the hearings in the newspaper at a later time.

12. (C) PolCouns told Deputy Foreign Minister Mammadgulyev April 6 that GOAJ closure of the trial was a violation of the defendants' right to a fair and transparent trial. PolCouns further stressed that the defendants' inability to access evidence against their clients was a deprivation of the youth activists' due process rights which cast serious doubt on the GOAJ commitment to the rule of law. PolCouns reiterated this message in an April 11 meeting with Presidential Legal Advisor Fuad Alasgarov. Both Mammadgulyev and Alasgarov claimed ignorance of the specifics of the trial, but argued that the prosecution likely had sound national security reasons for closing it. PolCouns responded to both that the key evidence against the defendants -- the "smoking gun" video tapes from July 2005 -- had already been widely broadcast on television. Alasgarov was surprised that the defendants' attorneys did not have access to all the evidence and agreed that they should. He promised to investigate the question and get back to us.  
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